

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

WAYNE KENNETH AUGÉ, II, M.D.,
Individually and as Trustee on Behalf of
Covalent Global Trust,

Plaintiff,

vs.

Civ. No. 14-1089 KG/SMV

STRYKER CORPORATION, and
HOWMEDICA OSTEONICS CORP.,

Defendants.

ORDER REGARDING PRETRIAL CONFERENCE

This matter comes before the Court *sua sponte*. The Pretrial Conference schedule for January 12 and 13, 2022, will commence each day at 9:30am Mountain Standard Time and will occur via Zoom. Counsel shall appear at least fifteen minutes before the scheduled start time and shall ensure that audio and visual components are functioning appropriately. Zoom information is as follows:

<https://nmd-uscourts.zoomgov.com/j/1616941600>

Meeting ID: 161 694 1600
Passcode: 580894

The Court intends to include the following matters in the Pretrial Conference:

1. Any pending motions, including Defendants' implicit challenge to Plaintiff's expert as noted in the supplemental proposed Pretrial Order (Doc. 420) and Defendants' argument regarding disgorgement of profits;
2. Ongoing disputes regarding interpretation of the royalty provision;
3. Preliminary Jury Instructions, which the Court will distribute to counsel in advance of the Pretrial Conference;

4. General trial instructions and administrative matters, including jury selection, opening statements, and closing arguments;
5. Objections to Exhibit Lists; and
6. Any additional matters raised by counsel.

Counsel should be prepared to address each of these topics. If the parties wish to address any further or additional matters, or have specific questions or concerns beyond the above topics that they would like addressed at the Pretrial Conference, counsel will email that request to Ms. Hall (Theresa_hall@nmd.uscourts.gov), with copy to all counsel of record, no later than 12:00pm (noon) on Monday, January 10, 2022.

If the parties would like to visit the courthouse to test technology or otherwise observe the courtroom in advance of trial, they may contact Ms. Hall and need not copy opposing counsel.

IT IS SO ORDERED.



UNITED STATES DISTRICT JUDGE